

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2284 of 1986

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

D C MASTER & ORS.

Versus

COLLECTOR, BARODA, & ORS.

Appearance:

MS MEGHA JANI for Petitioners

MR YF MEHTA for Respondent No.1 to 4

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 11/09/97

ORAL JUDGMENT

1. The petitioners have filed this Special Civil Application before this Court and grievance has been made that the petitioners who are medical teachers/professors in the medical colleges of the State of Gujarat are treated to be a separate category for the purpose of allotment of Government Quarters/Bungalows and as such, they have prayed for quashing and setting aside the

decision of respondents No.1 to 4 not to allot general pool Quarters to the petitioners and for directions to respondents to consider the petitioners for the purpose of allotment of Quarters from general pool.

2. The petitioners have come up with the case that they are not allotted the Quarters taking them to be not belonging to general category. These petitioners have applied for Quarters and they are standing in the waiting list since 1976, but the employees of other Departments who have applied subsequently for allotment of Quarters/Bungalows have been given Quarters from general pool.

3. Ms.Megha Jani, learned counsel for petitioners contended that in Ahmedabad, the medical teachers were considered to be eligible for allotment of Quarters from general pool also.

4. On the other hand, Mr.Mehta, learned counsel for respondents, contended that for the medical teachers, the respondents have constructed Quarters and as such, they have no claim for allotment of Quarters from general pool.

5. However, I do not consider it to be appropriate to go on all these details as though this petition is of the year 1986, both the counsel for parties are unable to say what subsequent developments have taken place during this period of eleven years. There is a possibility that the petitioners would have been allotted the Quarters also.

6. Taking into consideration the totality of the facts and circumstances of the case, this Special Civil Application is disposed of with directions that if still some grievance survives of the petitioners, then they may file a representation to the State Government within a period of three months from the date of receipt of certified copy of this order and in case such representation is made by petitioners, the State Government shall consider the same within a period of three months next.

7. The Special Civil Application and Rule stand disposed of with aforesaid directions. No order as to costs.

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(sunil)